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cc:

Subject: tomorrow's meeting

some items I'd like to cover at our meeting tomorrow (2:30 in the EPA conference center):

### 1. The purpose of the meeting between Max/Howard/Theresa

Some background: The NCP states that assessment of State's concerns may be discussed, to the extent possible, in the proposed plan issued for public comment. The State's concerns that shall be assessed include (1) the State's position and key concerns related to the preferred alternative and other alternatives; and (2) State comments on ARARs or the proposed use of waivers.

By now I hope you all have had a chance to read the final FS and our responses to CDPHE's comments on the draft FS. CDPHE requested that, as an alternative for arsenic in soil, we select a risk value within a risk range of 3 E-5 to 8E-5. Alternatives 4 and 5 represent this risk range.

Since the proposed plan must identify ONE preferred alternative, it is not yet clear whether there is greater acceptance of the upper or lower end of the suggested range, or, based on our response to the comment, whether there is acceptance of alternative 3 for arsenic.

EPA (Max) would like feedback from the State and the City on which alternative each agency could accept and any concerns that still exist. He would like the feedback **before** we issue the proposed plan. This will allow Max to take the concerns of your agencies into account in making his final call on the preferred alternative and also, EPA can include some language that discusses the State's key concerns in the proposed plan. Of course you all can provide additional comments (supportive ones??!) during the comment period.

### 2. Structure of the Max/ Howard/Theresa meeting.

I plan to make a very brief presentation which will cover why EPA chose to implement such an intensive data collection effort in the RI, what we now understand about the risks, and how this information is different from what was known when the action levels for Globeville were set. I will also provide info on the process and schedule for issuing the proposed plan. If there are other things you think it will be important for me to cover, let's identify them.

We would like representatives of the State and the City to present the views of their agencies.

We would like to come away from the meeting with a list of items all three agencies generally agree on.

### 3. Issues to be resolved before the Max/Howard/Theresa meeting.

If there are issues of concern that we as staff can resolve before the big meeting, let's identify these tomorrow and resolve them.

ALTERNATIVES  
SCHEDULE

NO  
IF THE  
QUESTION  
COMES  
UP

STATE -

NANCY

DOES SHE  
NOT WANT  
TO BE  
THERE

Coy -

CELA4

GENE

GARY

THELMA

EPA -

~~THELMA~~ DAVE, ME, MAX

CDHE -

BAB

Ginny

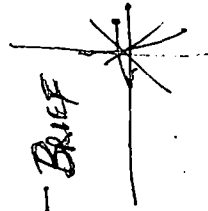
Howard

JEFF

Dan

JANE

- BRIEF



- 540 OK

- HATH in Hcs

- 128 or 240 OK